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Guam

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I. Background information

A. Geography

1. Guam[1] is the southernmost and largest of the Mariana Islands in the Pacific, situated about 1,350 miles south of Tokyo and 3,700 miles west-south-west of Hawaii. It consists of a single island of approximately 212 square miles. It comprises two distinct geological areas of about equal size. The northern part of the island is a high coralline limestone plateau and contains the northern water lens, capable of supplying plenty of fresh water. The southern region is mountainous. Apra Harbour, which is located on the central western side of the island, is one of the largest protected harbours in the Pacific and is considered to be the finest deep water port between Hawaii and the Philippines. The capital city of Guam is Hagåtña, changed from Agana in June 1998 by the Congress of the United States of America at the request of Guam's delegate. Hagåtña more precisely reflects the indigenous Chamorro language pronunciation.

B. History

2. Guam was visited probably in 1521 by the Portuguese navigator Ferdinand Magellan, who claimed it for Spain. Spain formally annexed Guam in 1565. In 1898, by the terms of the Treaty of Paris at the end of the Spanish-American War, Spain ceded the island of Guam to the United States. Through an executive order of the President, the island of Guam was placed under the direct administration of the Department of the Navy on 2 December 1898. The Japanese captured Guam in 1941 during the Second World War. It was retaken by American forces in 1944.[2]

C. Population

3. According to the Department of Public Health and Social Services, the United States Census Bureau estimated Guam's population to be 154,620 in 2000, taking into account immigration records. The Census Bureau figures for 1999 record a population of 151,968. This included 4,184 births, 626 deaths, 827 net migrants, for a population change of 2,731 over 1998.[3] Results from the 2000 United States national census for Guam are expected to be delivered in September 2001.[4] The ethnic and racial composition of Guam's population is 47 per cent Chamorro (who are indigenous to the Territory), 25 per cent Filipino, 10 per cent white and 18 per cent Chinese, Japanese, Micronesian (from States freely associated with the United States), Korean and other groups (the United States controls immigration directly, as described in paras. 76-78 below).[5] The Chamorro are basically Micronesian in origin. There are also a substantial number of Micronesian islanders from nearby islands and several thousand Vietnamese and East Indians.[6] English and Chamorro are the official languages.

4. Most of the population are Christians, principally (90 per cent) Roman Catholic. Other major religious denominations are Baptist, Seventh-Day Adventist, Latter-day Saints and Episcopalian. There are some Jews, Buddhists, Muslims and Jehovah's Witnesses.[7]

II. Constitutional, legal and political issues

A. General

5. Guam was administered by the United States Department of the Navy until 1950, when the United States Congress enacted the Guam Organic Act, which established institutions of local government and made Guam an organized Territory. Since then, the Territory has been administered by the Department of the Interior. Guam is an unincorporated Territory since not all provisions of the United States Constitution apply to the island. As an unincorporated Territory, in United States law Guam is a "possession of the United States but not a part of the United States".

B. Constitutional structure

6. Guam has a locally elected Government, which comprises separate executive, legislative and judicial branches. Universal suffrage with respect to local elections applies to Guamanians 18 years and older. Guamanians are citizens of the United States, but are not eligible to vote in the United States presidential elections while resident in the Territory. The people of Guam elect a Governor, who serves a four-year term. Guam elected its first Governor in 1970. The Governor is responsible for the general supervision and control of the executive branch and submits an annual report to

the Secretary of the Interior for transmission to Congress. The Governor may issue executive orders and regulations, recommend bills to the Legislature, make his views known to that body and veto legislation.

7. The people also elect 15 senators (as of 1998, when the people of the Territory voted in a referendum to reduce the size of the Legislature from 21), who serve two-year terms in a unicameral Legislature. The Legislature may override the Governors' veto. Under the Organic Act of 1950, the United States Congress reserves the authority to annul any law enacted by the Guam Legislature.

8. In 1972, a new law gave Guam one non-voting delegate to the United States House of Representatives. The delegate, who serves a two-year term, may vote in committee but not on the floor of the House.

C. Legal system

9. The local judicial system is made up of a Superior Court and a Supreme Court led by judges appointed by the Governor and confirmed by the Legislature. Local judges are subject to confirmation by the voters every six years. A District Court judge, appointed by the President of the United States, is the head of the United States District Court for Guam. In 1998, Congress adopted an amendment to the Organic Act allowing the Guam Legislature to elect its own attorney-general in 2002.

10. In February 2001, Guam's delegate to the United States Congress, Robert Underwood, reintroduced a bill, the Guam Judicial Empowerment Act, which would create a Guam Supreme Court that was separate from the Legislature's statutory management. The bill would also make the Supreme Court the ultimate appellate authority on Guam and the administrative authority over the judicial system. Currently, the Guam Supreme Court is a government agency created by the Legislature, while the Superior Court administers the judicial branch. According to Congressman Underwood, this arrangement makes the Supreme Court susceptible to political interference, while his bill would create clearer lines of separation between the judicial and legislative branches. Versions of the bill have been proposed in the past, but they were blocked in committee by a chairman who believed that Guam should resolve the issue by adopting a Constitution rather than by amending the Organic Act, which the proposed bill would do (see para. 14 below).[8]

D. Political parties and elections

11. Guam has two main political parties, the Republican Party and the Democratic Party, which are local chapters of the two main United States political parties. In the most recent election, in November 1998, Democrat Carl T. C. Gutierrez won re-election to the post of Governor against Republican candidate Joseph Ada, while the Republican Party won 12 of the 15 seats in the Guam Legislature.

E. Political issues

12. Guam has long been seeking to change its political status relative to the United States. In a 1976 referendum, Guamanians decided to maintain close ties with the United States, but to begin negotiations to improve the Territory's status. In 1979, the people of Guam rejected a draft constitution by a margin of five to one, mainly on the grounds that the question of political status had to be resolved before a meaningful constitution could be drafted.[9] In a 1982 run-off referendum, 73 per cent of voters opted to pursue commonwealth status with the United States. According to the Commission on Self-Determination, established in 1984 to draft a commonwealth agreement, this status was intended to be an "interim" status that would provide an opportunity for Guam to structure a better relationship with the United States.

13. In May 1986, the Commission on Self-Determination completed a draft Commonwealth Act, which, after a public education campaign, was submitted to an article-by-article vote on 8 August 1987 (see A/AC.109/1192, paras. 19-37). Voters approved the central proposal, but rejected articles empowering the Government of Guam to restrict immigration and granting the indigenous Chamorro people the right to determine the future political status of the Territory. In a further referendum in November 1987, both of these outstanding provisions were approved after they were amended and rewritten.

14. The draft Commonwealth Act attempted to create a political entity under United States sovereignty that was to be established by mutual consent of both parties

and which could not be changed at will by the United States; the Commonwealth of Guam was to be recognized as separate and self-governing by the United States courts. It included a mutual consent clause, whereby the Act could only be changed if both sides agreed. The Commonwealth Act further called for an end to United States immigration to Guam, the return of Guam land not actively used by the United States, relief from United States maritime laws and recognition of the right of the colonized Chamorro people to exercise self-determination in view of Guam's decolonization. It also proposed to establish a clearer structure to the political relationship between Guam and the United States, as opposed to the current vague provisions of the territorial clause of the United States Constitution, under which Congress has authority to "dispose of and make all needful rules and regulations" pertaining to United States Territories.

15. Negotiations between the Guam Commission on Self-Determination and the United States Government over the draft Commonwealth Act began again in 1989 and continued through 1997 without resolution (see A/AC.109/2000/6, paras. 19-22, A/AC.109/1192, paras. 19-37 and A/AC.109/2018, paras. 74-83). According to a statement made by Governor Gutierrez to the House Resources Committee of the 105th Congress in October 1997, the position of the United States executive branch with regard to the draft Act has essentially been that it was unconstitutional insofar as it did not recognize Congress' plenary authority over Guam. In 1997 negotiations between Guam and the United States executive branch ended and Guam leaders appealed to Congress to hear the bill that contained the Commonwealth Act. Governor Gutierrez told the House Committee on Resources that Guam had tried for eight years, at the Congress' direction, to work with the executive branch in moving beyond the status quo. The official position of the Clinton Administration, however, had fallen far short of what Guam was seeking, and did not address the question of a fundamental transformation in the relationship.[10] (The position of the Clinton Administration with regard to the draft Commonwealth Act is presented in document A/AC.109/2000/6, para. 101.) A report on the congressional hearing was never published and no discussions on the draft Guam Commonwealth Act have been held since that time.

16. In 1997, Guam public law 23-147 established a Commission on Decolonization for the Implementation and Exercise of Chamorro Self-Determination. This Commission, in concert with a process of registration of eligible voters by the Guam Election Commission, was to oversee the conduct of a vote on the Chamorro people's status preferences of independence, integration or free association in accordance with international standards. Guam's political leaders agreed to delay this process in 1997 and 1998 while congressional consideration of the draft Guam Commonwealth Act was under way.

17. In 2000, the Guam Legislature provided the Guam Election Commission with the power to set the date of the decolonization plebiscite. Subsequently, the Commission decided to postpone the plebiscite until September 2002 in order to allow time to register eligible voters and to conduct an education campaign. The plebiscite would ask the Territory's indigenous people, defined by law as persons or descendants of persons who were in Guam at the time of the United States ratification of the Treaty of Peace with Spain in 1898, and/or persons or descendants of persons who received United States citizenship pursuant to the Organic Act of 1950, to choose between statehood, independence or free association with the United States. The plebiscite would be non-binding but would set the course of any future status negotiations with the administering Power.[11]

18. As is described under the relevant sections below, Guam has been able to address some practical problems arising from its political relationship with the administering Power by sponsoring legislation in the United States Congress or petitioning the federal agencies for regulatory changes. Clauses related to the disposal of excess federal land in the Guam Omnibus Opportunities Act, and Food and Drug Administration regulation changes regarding the importation of betel nut,[12] are examples. This ad hoc approach, however, is relevant only to technical issues rather than structural ones. Furthermore, the approach depends on the disposition of the administering Power to consider the issues raised by Guam. For example, a proposal to reform the taxation of foreign direct investment in Guam was not enacted by the United States Congress, resulting in the perpetuation of a disadvantage in Guam's taxation regime relative to that of other states.

19. Another development during the review period with regard to Guam's political status was the introduction by Guam's representative to Congress of a bill, the Insular Area Oversight Avoidance Act, which

would require the Office of Management and Budget to provide an explanation each time any of the Territories was excluded from Presidential initiatives or executive orders. According to the delegate, this measure would ensure that Territories, if excluded, were excluded for practical reasons and not merely as an oversight.[13]

III. Budget

20. The Governor of Guam signed an unbalanced budget for fiscal year 2001 in order to keep the Government in operation. Senators passed a $439.4 million expenditure budget, which is $10.6 million less than budgeted revenue. In his "State of Our Island" speech,[14] the Governor noted that there was a budget deficit of $71 million after the first three quarters of 2000, and that it was expected to grow when the fourth quarter figures came in.

21. The Governor proposed the establishment of a pension bond/deficit elimination programme to address $750 million in unfunded liabilities of the Retirement Fund. According to this proposal, the Government of Guam would borrow $400 million in bond money to pay part of the Retirement Fund debt. In return, this would free up $30 million in the general fund that is currently being spent on supplemental benefits for retirees.[15]

22. According to the Governor, federal inputs to the Guam economy, excluding expenditures related to the military, included $13 million increase in federal grants, $5 million in compact impact aid (to reimburse Guam for the impact of unregulated immigration from the freely associated States as allowed by their 1985 compacts with the United States), and $2.9 million in reimbursable allowances from the Federal Emergency Management Agency for damage suffered as a result of Typhoon Paka.[14]

IV. Economy

A. General

23. The Guam economy is dominated by tourism, while the public sector (including the United States military) and construction remain important. Farming and fishing are relatively well developed. Vegetables, citrus and tropical fruits, coconuts and sugar cane are grown and livestock, especially poultry, is raised. Manufacturers include textiles, cement and plastics.[2]

24. After several years of declining economic figures, Guam's economy is expected to stabilize in 2001, and perhaps exhibit moderate growth. Despite dramatic expansion in the tourism sector in 2000, other contractionary forces resulted in a 1.7 per cent net reduction in total economic activity for that year. Similar numbers are expected for 2001 and 2002, although continuing strength in the tourism sector could bring a mild economic expansion.

25. Despite the downturn of the past several years, Guam's per capita gross domestic product remains, at $18,766, the highest among the six United States Territories and associated States in the Pacific, according to a Bank of Hawaii report.[16]

26. In the public sector, one-time structural changes that were implemented in 2000 will continue to affect economic indicators in 2001. These include, in particular, the downsizing of both the Government of Guam, through employee buyout and early retirement schemes, and the federal Government, through outsourcing of functions to the private sector. These measures have substantially reduced the size of the government sector's contribution to total economic output and are expected to add to a drag on the economy. The Government of Guam was reported to be saving about $700,000 per pay period as a result of its "early-out" initiatives, of which about 400 local government employees took advantage.[17]

27. The economy is still affected by the 1995 decision, in accordance with recommendations from the Base Realignment and Closure Committee, to shut down some military facilities on the island. According to one report, this caused a cumulative current dollar loss of $942 million between 1996 and 1999, and a loss of about 4,800 jobs (3,500 federal civil and 1,300 military).[18]

28. In the private sector, economic indicators will be affected by two competing trends. First, an increase in revenues from tourism is expected as the sector expands in both domestic capacity (an increase in the number of hotel rooms and flights) and foreign markets (an increase in the number of tourists coming from countries other than Japan). Second, and opposing this trend, the construction sector is expected to continue to decline.

29. The economy of Guam is also influenced by global economic trends, and in particular by the economies of the United States and Japan. Given the importance of tourism to the Territory's economy, and the importance within the tourism sector of the Japanese market, the Guam economy tends to follow Japan's business cycle rather than that of the United States; Japan provided 53.9 per cent of the imports in 1999. Forecasters project economic slowdowns in both the United States and Japan for 2001. In general, however, despite a marginally slower growth rate expected in Japan for 2001, more substantial growth rates in countries elsewhere in Asia, which have become increasing sources of tourism for Guam, are expected to begin to offset the expected minor decline in Japan's economy and have a slightly positive influence on Guam's economy. The economy of Guam is not expected to grow much in 2001, if at all, but noticeable growth is expected beginning in 2002.

30. Guam is a duty-free port that facilitates the movement of raw materials for manufacturing. It also participates in two major trade programmes designed to promote export-oriented manufacturing: the Harmonized Tariff Schedule of the United States and the Generalized System of Preferences. Nonetheless, the Territory consistently records a trade deficit. The Department of Commerce reported the value of Guam's total exports to be $86.4 million in 1998. Major export commodities are fish and crustaceans ($44.9 million), mineral fuels, oils and waxes ($15.2 million), tobacco and manufactured tobacco substitutes ($5.6 million) and automobiles ($3.1 million). Imports were valued at $52.1 million for January 1998, $42.8 million for April 1998, $58.3 million for July 1998 and $47.9 million for October 1998.[19]

B. Primary economic sectors

1. Agriculture and fisheries

31. The agriculture and fisheries sector has played a small role in the economy of Guam, accounting for less than 1 per cent of total private sector employment. The fishing industry, which began a major expansion in the late 1980s, continued to be important within the sector. During the period under review, negotiations began with a Norwegian company that raises salmon and trout for the Japanese market. The $30 million investment under consideration is expected to create 120 jobs and spawn support industries without damaging the environment.[14]

32. According to the Department of Commerce,[20] in 1998, the latest available figures, the dollar value of agricultural products was $2,263,566. Included in this group were fruits and vegetables, poultry, pork, beef and eggs, all produced mainly for local consumption.

2. Manufacturing/industry

33. One of the major industries on Guam, and the third most important economic sector (after tourism and the public sector), is construction. The current status of construction permits indicates that in 2001 total construction activities will decline by about 25 per cent from 2000. Nonetheless, construction as a generator of employment remains significantly above the average for the United States. It currently accounts for 9.8 per cent of private-sector employment and 7.2 per cent of total employment, compared with 5.9 per cent and 5 per cent, respectively, in the United States. This suggests that the construction sector's decline is an adjustment towards more normal levels from its unsustainably high peak in 1992. The outlook in the construction sector may be improved in the near future if work begins on projects that are planned by the Government of Guam but have not yet received permits.

3. Tourism

34. After three years of a depressed tourism sector, resulting in large part from the 1997 economic crisis in Asia, substantial increases in visitor arrivals to Guam are forecast for the near future. The Guam Visitor's Bureau estimates a 15 per cent increase in 2001, building on an actual increase of 11 per cent in 2000. Much of this projected increase is due to recovery from depressed tourism following the 1997 crisis, though some of it may reflect an increased number of tourists coming from non-Japanese markets, particularly the Republic of Korea, China, Hong Kong and Taiwan, province of China. If the growth of these markets continues apace with current trends, they will strongly impact the total growth rate of the tourism sector. The goal of the Guam Visitors Bureau is to host 2 million tourists a year by 2005.[21] In 1998, Guam received 1,137,026 visitors.[22]

35. Another positive sign in the tourism sector is that current demand for visits is higher than current

supply.[23] This is attributable in part to airline capacity bottlenecks, which are being addressed. Recent measures undertaken to increase tourist arrivals include new scheduled flights to Guam four times a week by China Airlines, additional flights scheduled by JALways (a subsidiary of Japan Air Lines) and the resumption in July 2000 of Continental Airlines' direct Seoul-Guam flights, which were suspended in December 1997. Planned airport improvements in Japan and the opening there of more airports to Guam-bound flights are also expected to unclog the air traffic bottleneck.

36. At the same time, the number of available hotel rooms has increased by 24 per cent since 1997, growing from 8,119 to 10,084 in 1999. As well as increasing overall capacity, this expansion has led to competitive practices, which have in turn led to improved management. In some cases, the management changes have resulted in a stronger international presence, bringing worldwide marketing networks and additional market exposure to Guam. Marriott International Inc., Holiday Inn and Aston International have assumed the management of several hotels in Guam, facilitating greater international exposure.

C. Finance

1. Local financial services

37. The steady growth in bank deposits on Guam that was identified in the previous working paper (see A/AC.109/2000/6, para. 52) was not sustained in 2000. According to the Department of Commerce, bank deposits in March 2000 were at $1.43 billion, slightly down from the 1997 figure of $1.46 billion reported in the previous working paper. In addition, it should be noted that the March 2000 figure represents an even more significant decline from a high in March 1998 of $1.67 billion. Of the total bank deposits, 68 per cent represent time and savings deposits, with the remainder representing demand or government deposits.

38. Bank loans, on the other hand, continued to increase from the 1997 figure of $2.58 billion reported in the previous working paper to $2.93 billion in March 2000. Of these, 53.7 per cent represent commercial loans, 34.5 per cent real estate loans, 11.6 per cent consumer loans and the remainder government and other loans. Bank loans account for about 97 per cent of total loans on Guam. A small credit union and savings and loans sector makes up the remainder.

2. International finance

39. As indicated in the previous working paper (see A/AC.109/2000/6, paras. 52 and 53), the Government of Guam is making an effort to establish Guam as a financial service centre in the Pacific. The Government continued to adopt policies and laws towards this end. In particular, in July 2000 the Governor signed the Guam-Based Trust Companies Act (public law 25-149), which clarified the definition of Guam-based trusts in order to provide confidence for potential investors as well as federal regulatory bodies. The law made clear that as Guam's banking system was regulated by both federal and local law, business entities in Guam would have to file tax returns, unlike in other domiciles that have been labelled as tax havens.[24]

40. As a result of the Guam-based trust initiative, 42 special qualifying certificates have been issued and 14 are still pending, representing a total of $198.8 million, which is expected to add $2.3 million annually to Guam's revenue. The trusts generate revenue for the Government of Guam despite the fact that 100 per cent of taxes on income are rebated to the trust. According to the new law, the Government holds tax revenues for 180 days. The interest accrued during this time is retained by Guam, and the initial tax levied is subsequently rebated in its entirety to the trust. The law also requires the trust's administration to be in Guam.[25]

41. At the same time, an effort was made, unsuccessfully, to redress a lack of parity in the treatment of federal taxes on foreign direct investment in Guam. According to the Guam Organic Law, United States tax law applies to Guam. As a result, foreign direct income in Guam is taxed at 30 per cent. This federal rate is often reduced in the 50 states, however, under one of over 50 tax treaties to which the United States is a party, but to which Guam, as an unincorporated Territory, is not. A section of the Guam Omnibus Opportunities Act, submitted in 2000, sought to reduce this rate to 10 per cent by amending the Organic Act to treat Guam as part of the United States insofar as the application of tax treaty provisions was concerned. The administration considered that the measure required further discussion, in particular regarding its interaction with the Guam-Based Trust Companies Act described above.[26] The provision was

not included in the final version of the Guam Omnibus Opportunities Act and so did not become law.

D. Transport and communications

1. Roadways

42. According to the Governor in his annual address,[14] the system of public roadways has undergone considerable improvement, relieving traffic congestion and providing benefits to small businesses and residents. In February 2001, the Governor initiated an island-wide transportation master plan that will involve several relevant government agencies. One of the tasks of the plan's implementers will be to determine whether to leverage annual federal highway funds and other grants to finance a massive overhaul of all main roads and transportation systems. This project, expected to cost $150 million, would also improve road safety and lower long-term maintenance costs.

2. Seaports

43. The Port Authority of Guam administers the commercial port facilities at Apra Harbour. The Port Authority is a public corporation and an autonomous agency of the Government of Guam. Guam's port is a major trans-shipment centre of the western Pacific and is equipped to move containerized bulk and tuna cargo efficiently. The port has, in recent years, seen an average annual increase of 23 per cent in cargo. The Port Authority is expanding its container yard and is planning to spend $100 million in reconstruction activities up to the year 2005.

44. Overall tonnage at the Port Authority remained constant at around 1.97 million tons. The Port Authority has improved efficiency of container movements from 17 to 34 per hour.[14]

3. Airports

45. Guam's International Air Terminal services more than eight international carriers. More than 270 flights per week connect Guam to all major cities in the Pacific and Asia. In addition, the airport services nine air cargo carriers, which moved more than 35,000 metric tons of cargo in 1997. The Terminal was built in 1982. According to Department of Commerce figures, airport traffic in 1998 was 1.3 million passengers. This was down from over 1.6 million in 1997, in part owing to the slump in the tourist market. Just prior to that slump, the Airport Authority invested more than $240 million in an ambitious expansion and renovation programme designed to triple the airport's total area.[27] In early 2001, the Governor announced that Guam was poised to begin over $45 million of improvements to the airport, including installation of a secondary instrument landing system and a commuter arrival security screening system.[14]

4. Communications

46. RCA Global Communications and IT&E handle cablegrams, facsimile and telex messages and overseas telephone calls. The United States Postal Service handles mail delivery. Commercial mail delivery is also available through Federal Express and DHL. Guam has a daily newspaper, a newspaper published three times a week, several weekly and monthly commercial publications and military journals. There are three AM and two FM radio stations, one commercial television station, one cable television station and one public broadcasting station. A new fibre optic cable now links Guam with Hawaii, Japan, the Philippines and Hong Kong.[28]

47. High-technology communications may represent an emerging growth sector for Guam. The Governor and Legislature have made it a priority as part of a general effort to diversify the economy. The Governor, in his annual "State of Our Island" address,[14] noted passage of e-commerce legislation in January 2001 that would help develop Guam as an international communications hub. He also noted in this regard the investments of several companies. These include TyCom, which will spend $23 million to build a regional centre (one of three in the world) for its undersea fibre optics network; Global Link, which will hire up to 1,200 employees to handle international customer service operations for several worldwide corporations; and Japan's National Space Development Agency, which will construct a $10 million satellite tracking station.

48. The Governor also proposed that the Guam Telephone Authority be privatized in order to make it more competitive given the demands of rapidly changing technology. He appealed to the Legislature to move this initiative forward.

49. According to the Department of Commerce, there were 84,134 primary telephone lines registered in 1998. Of these, 43,444 were residential lines and

40,690 were business lines. Telephone Authority revenue in 1998 amounted to $37.8 million. Although revenues steadily increased between 1996 and 1998, it has remained below the peak of $41.2 million recorded in 1995.

E. Water system, sanitation and utilities

1. Water and sanitation

50. Approximately 74 per cent of the water supply is provided by the Guam Waterworks Authority. The remainder is produced by the Air Force and Navy installations on Guam. The Government's water sources are groundwater and surface water (Ugum River). The Navy water source is a surface reservoir (Fena Lake) in the southern part of the island. The Authority's water originates primarily in an aquifer known as the northern lens, which is tapped by 94 active wells. According to the Authority's well monitoring report, about 26 million gallons per day are currently pumped from the northern lens. The $12 million Ugum River project, at the southern end of the island, which was completed a few years ago, added an additional 1 million to 2 million gallons per day of potable water to Guam's daily supply. According to the Governor, the state of the water and sewerage system, however, is "not good and it is getting worse". Leaks are frequent, posing important health and environmental problems and inhibiting development.

51. Guam's water consumption in 1998 was 8.8 billion gallons, of which 4.9 billion were for residential use and 3.5 billion for commercial and government use (the negligible remainder was for agriculture and irrigation).

2. Electricity

52. The Guam Power Authority, an autonomous agency of the Government of Guam, is responsible for providing electricity throughout the island. In 1998, according to Department of Commerce figures, power consumption in Guam was 1,601.6 million kilowatt hours. According to the Governor, the Authority continues to generate 171 megawatts of reliable power. While commercial collection ratios are up, the Government of Guam still owes the Authority $42 million in arrears.

V. Military issues

53. Guam was administered by the United States Navy until 1950, and remains the site of extensive United States naval, army and air force installations. Petroleum storage, munitions stowage, extensive communications facilities and other service industries that cater to the military establishment form the basis of the military infrastructure in Guam.

54. A United States Navy team visited Guam in January 2001 to assess the feasibility of moving Los Angeles class, fast-attack submarines to Guam. The relocation of three of those submarines would add 750 Navy personnel to the base at Guam.[29]

55. In addition, the United States Air Force announced the redeployment of conventional air-launched cruise missiles to Guam, completing a two-year effort to turn Guam's Andersen Air Force Base into a forward-operating location for long-range United States bombers.[30] This move was criticized by a human rights group, Pacific Concerns Resource Center, which said it was the first time such missiles had been stationed outside the United States, and that the deployment had occurred without the consent of the Pacific islanders. It was argued that the missiles posed a threat to the entire Pacific region.[31]

56. On 12 May 2000, the United States Navy announced that it would cancel the planned transfer of its ship repair facility on Guam and retake control over it when its seven-year lease ended in 2007. This facility was closed as an active military installation on 1 October 1997, in accordance with the recommendations of the United States Base Realignment and Closure Commission. The Department of the Navy subsequently entered into a lease agreement with the Guam Economic Development Authority for use of the ship repair facility. The Authority subleased the facility to a private company, which employed about 200 employees. One aspect of the agreement was that the Navy would continue to provide enough business to the facility to keep it economically viable. According to the Governor of Guam, this would require 50,000 man-days of work. The Navy only committed 24,000 man-days, however.[32] Congressman Underwood, who in 1995 had opposed the closure of the facility, accused the Navy of always considering Guam last in its decision-making process. He said that it was very difficult to do serious economic planning when the

Navy kept changing its policy.[33] The Lieutenant Governor of Guam, Madeleine Bordallo, noted that the decision would have both negative and positive effects. On the one hand, the Navy retaking control of the facility would mean that less federal land would be available to return to Guam than was hoped. It also would scuttle existing plans to set up areas within the property for economic and tourism development. On the other hand, the decision signalled a commitment by the Navy to increase its activities on Guam, which would be good for its economy. The Lieutenant Governor said she had been told by Rear Admiral Tom S. Fellin, Commander of the United States Naval Forces, Marianas, that global hotspots in Asia required a strong United States Navy presence in the area, and that Guam stood to benefit.[34]

VI. Land issues

57. As reported in the previous working paper, the question of land-use and ownership is a major and ongoing consideration on Guam. This question comprises two major issues: (a) the return of unused or underutilized lands held by the Department of Defense; and (b) the return of these lands to the original Chamorro landowners. The United States Government, principally its Department of Defense, currently holds title under United States law to over one third of the island. This land was condemned and acquired from private landowners by the Department of Defense during the years following the Second World War, when Guam was under the administration of the United States military, and before citizenship was granted to the people of Guam. In 1994, Congress passed the Guam Excess Lands Act (public law 103-339) to return 3,200 acres to the people of Guam, which has begun to be implemented (additional details about prior land transfers and legislation can be found in previous working papers A/AC.109/1069, 1148, 1149, 1192, 2047 and 2047/Add.1).

58. In his "State of our Island" address in February 2001,[15] the Governor announced that 7,894 acres of excess land were being returned in title to the people of Guam and that the United States Air Force had announced that it would return a further 1,750 acres. The Governor also noted the return by title of 1,806 acres at Tiyan in November 2000, which he said was the largest single transfer of federal property to the Government of Guam since the Organic Act in 1950.

59. Another important development in the period of review concerns the return process for excess military land. In the previous working paper (A/AC.109/2000/6, para. 81) it was noted that the procedure for returning excess military land allowed federal agencies to bid for land ahead of Guam. Congressman Underwood submitted legislation to correct this: the Guam Omnibus Opportunities Act, which was signed into law in November 2000.[35] According to Congressman Underwood, the Act puts Guam before other federal agencies with regard to bidding for excess lands. It also provides Guam with more flexibility by requiring the Government of Guam and the federal Fish and Wildlife Service to negotiate on the future management and ownership of lands in the wildlife refuge. This requirement gives Guam a greater but not complete measure of control over these lands.[36] As reported in the previous working paper, the establishment of a wildlife refuge on 370 acres at Ritidian Point by the Department of the Interior had led to protests by Chamorro families. Discussions between officials of the Government of Guam and the United States Department of the Interior in 2000 to reach a compromise between original landowners and the Fish and Wildlife Service ended with no change to the latter's presence at Ritidian.

VII. Social conditions

A. General

60. The people of Guam are eligible to receive benefits under a variety of federal programmes, including Social Security, Medicare, aid to families with dependent children, aid to the blind, general assistance, old age assistance, aid to the permanently and totally disabled, food stamps and Medicaid (see paras. 73 and 74 below for Medicaid). Territories, like states, may choose not to participate in grant programmes. Participation in these programmes requires accepting federal rules and guidelines and sometimes matching federal expenditures with local expenditures.

61. Almost all indicators of social assistance have been rising over the past decade, according to the Guam Department of Commerce. Participation in the food stamp programme rose from a monthly average of 3,233 households (11,808 individuals) in 1989 to 5,874 households (19,613 individuals) in 1999. The

corresponding expenditures were $13.6 million and $30.8 million.

62. Recipients of aid to families with dependent children doubled in the same period, from 4,130 recipients in 1989 to 8,399 in 1999. Recipients of general assistance rose from 308 to 1,963. Recipients of public assistance rose from 5,273 to 10,968. This corresponded to a rise in total public assistance expenditures from $7.3 million to $27.3 million. For most federal assistance programmes, the Government of Guam is required to match federal expenditures with its own funds.

B. Labour

1. General

63. The most recent figures available (September 2000) show that the total civilian labour force in Guam, in both the public and private sectors, is 70,800, of which 59,850 are employed. Unemployment was calculated at 15.3 per cent in July 2000. This is about equal to unemployment in the same month of the previous year, although significantly higher than unemployment rates between 1996 and 1998, which averaged 9 per cent.

64. Over a quarter (27 per cent) of the workforce is in the service sector, of which over a third works in hotels and other lodging places. The retail trade sector employs 20 per cent of the workforce and transportation and public utilities account for another 9 per cent. The construction sector is responsible for 7 per cent of employment and the financial sector for 4 per cent. The rest of private sector employment is made up of wholesale trade (3 per cent), manufacturing (2.7 per cent) and agriculture (less than 1 per cent).

65. Many workers belong to trade unions based in the United States, such as the American Federation of Government Employees and the American Postal Workers Union. In 1991, 4,000 of 65,830 workers belonged to unions.[37] More recent figures on union membership have not been found.

2. Public service

66. Both the Government of Guam and the federal Government in Guam undertook substantial downsizing measures in 2000. The Government of Guam undertook a buyout and early retirement programme, while the federal Government began outsourcing functions to private contractors. As a result, employment by the Government of Guam declined by 8.8 per cent, from 13,740 to 12,530 jobs in fiscal year 2000. Federal jobs declined by 29.9 per cent, from 4,610 to 3,230 jobs in the same time period. The total government sector now accounts for just over 25 per cent of total civilian employment (with the Government of Guam accounting for about 21 per cent and the federal Government about 4 per cent) and this percentage is expected to continue to decline in the coming years.

67. A controversy arose in 2000 regarding the outsourcing of United States Navy jobs to a private company. In February 2000 the defence company Raytheon was awarded a $328.4 million contract to provide base operations support for United States Naval facilities on Guam (including administration, maintenance, supply, harbour operations, ordnance loading, etc.). Federal contract workers who had been carrying out those functions were given the "right of first refusal" to the jobs under the Raytheon contract. According to Congressman Underwood, the wage rates offered by Raytheon were significantly lower than they had been under the Department of Defense. In April 2000, he and 28 other members of the House of Representatives called for the suspension of the implementation of Raytheon's contract until the wage question was re-examined.[38] As a result, the United States Department of Labor conducted a new survey, which concluded that Raytheon had based its wages on outdated wage scales. Consequently, the Department released updated scales that resulted in higher wages for nearly every outsourced job category.[39]

C. Education

68. Guam has an extensive public and private education system. The public education system includes the University of Guam; the Guam Community College; five public high schools; six middle schools; and 24 elementary schools. The private system includes two business colleges, five high schools and several elementary schools. Most of these are affiliated with Roman Catholic and Protestant religious denominations. The University of Guam has master degree programmes in education and public administration; operates a marine research laboratory, and has an extensive collection of Pacific and

Micronesian historical documents and material at the Micronesian Area Research Center. The University of Guam is accredited by the Western Association of Schools and Colleges.

69. According to the latest available statistics from the Department of Education, total school enrolment (public and private, but not including Guam Community College) in 1998/99 was 39,405, of which 5,034 were enrolled in private schools. In the same period, there were 2,073 public school teachers. In 1999, 1,741 high school students graduated, prolonging a trend of steadily increasing graduates since 1994/95. In the same period, there were 2,385 full-time students enrolled in the University of Guam, out of a total enrolment of 3,784. The University also enrolled 265 students from former United States Trust Territories (the majority coming from Palau and Truk). Guam's operational budget for education in 1998/99 was $165 million (approximately $5,000 per student).

D. Public health

70. According to the World Health Organization,[40] the people of Guam enjoy a healthy status. Infant and maternal mortality rates are low. Virtually all births take place in a medical setting and most pregnant women receive prenatal care from a trained health care worker during pregnancy. Illnesses that contribute to population morbidity and mortality are generally related to lifestyle. Diabetes mellitus was the second leading cause of death in 1993.

71. The United States Centers for Disease Control reported in March 2000 that there were 42 people living with human immunodeficiency virus (HIV) and 25 with acquired immunodeficiency syndrome (AIDS). The rate of AIDS cases increased between 1998/99 and 1999/00 from 4.7 per 100,000 to 11.8 per 100,000.[41]

72. Guam has a 147-bed hospital, the Guam Memorial Hospital, and a United States Naval Hospital that serves military personnel and their dependants. In the mid-1990s, there were around 140 physicians and 30 dentists on Guam.

73. Federal programmes approved by the United States Department of Health and Human Services apply on Guam. The non-voting representatives of all United States Territories (American Samoa, Guam, Puerto Rico and United States Virgin Islands) co-sponsored legislation in September 2000 to revise federal-local ratios for Medicaid payments in the Territories. Currently, the territorial Governments must pay 50 per cent of Medicaid costs, while the federal Government pays the other 50 per cent. The poorest states in the United States, however, enjoy a federal-local payment ration of 75:25. The territorial representatives are requesting a 75:25 ratio on the grounds that all four Territories have lower per capita incomes than the poorest state. The bill would also remove caps on Medicaid spending. The cap of $5 million on federal Medicaid spending on Guam makes it increasingly difficult for the Government of Guam to match the required funds.

74. Medicaid spending in 1998 was $9.9 million, a slight decline from the 1996 peak of $11.5 million. Medicaid spending has tripled over the last decade, however, from $3.1 million in 1989.

E. Housing

75. Among lands turned over to the Government of Guam by the United States military are those known as "crown lands", comprising six dormitories and 360 housing units. According to the Governor, these are to be turned into low- and moderate-income housing developments.[12]

F. Immigration

76. A major issue in the federal Government's relations with Guam is the migration from the freely associated states of the Marshall Islands, the Federated States of Micronesia and Palau. The Compact of Free Association Act of 1985, which established the relationship between the United States and the Federated States of Micronesia, and the Marshall Islands, authorized unrestricted migration from those Pacific island nations to the Territories and possessions. This enabled citizens of those islands to enter Guam and to lawfully engage in occupations as non-immigrant aliens.[42] These immigrants and their American-born children have settled in Guam, Hawaii and the Northern Mariana Islands. This has strained the resources of the recipient states and Territories.[5] In order to address the situation, the Office of Insular Affairs has made technical assistance grants to Guam and other compact Territories, with additional funding appropriated for the two island jurisdictions (Guam and

the Northern Mariana Islands) by the United States Congress.[7]

77. In 2000, Guam received $9.58 million from the federal Government to compensate Guam for costs incurred as a result of unregulated immigration from Micronesia. The Governor said that the money would only be used for capital improvements in the Territory, including $1.7 million that had already been set aside for Guam Memorial Hospital.[43]

78. Guam also has in place a special visa waiver programme to encourage tourism. According to this programme, citizens of certain foreign countries need not apply for a visa before visiting Guam, although the visa applies only to Guam, and not to the rest of the United States. The arrival of about 700 people from Myanmar in December 2000 caused the programme to be suspended for Myanmar citizens by the Immigration and Naturalization Service at the request of the Governor of Guam. People from Myanmar were arriving in Guam and immediately seeking political asylum in the United States, contrary to the purpose of the waiver programme.[44]

G. Human rights and related issues

79. The question of human rights on Guam is mostly centred on the rights of indigenous peoples. The 1990 census revealed that more than half of the population of Guam were immigrants. One effect of significant recent immigration to the Territory has been to raise the awareness of the Chamorros as a people with specific rights to protect within the framework of Guam's status as a Non-Self-Governing Territory and as an indigenous people. This has in turn led to disagreement with the United States over its position on the draft United Nations declaration on the rights of indigenous peoples. In 1996, the twenty-third Legislature of Guam adopted resolution No. 469 (LS) stating that the people of Guam did not support or endorse the United States' position on the draft declaration and called upon the United States to conduct a legitimate consultation with the indigenous Pacific peoples. According to statements made by the Governor of Guam and the Congressman, the differences revolve around the failure of the United States to recognize collective rights as distinct from individual rights (the latter being already guaranteed by the Universal Declaration on Human Rights), and in particular the collective right as an indigenous people to self-determination.[45]

80. The question of a recognized separate identity for the Chamorros impinges on the question of self-determination that was included in the Commonwealth Act and in the Guam laws that provide for a process of determining the preference for a decolonized status (see paras. 12-16 above). Both the Commonwealth Act and the above-mentioned laws establish requirements (see para. 17 above) for the eligibility to vote that correspond to United States' assumption of sovereignty in Guam. The United States opposes any restriction on eligibility to participate in Guam's self-determination process, arguing that the right of self-determination must be exercised by all the people of Guam, and that any limitation would violate the right for equal treatment under the law that is guaranteed by the United States Constitution. Under United States law, this equal protection requirement extends to any United States citizen who is resident in Guam for 30 days.

H. Crime

81. According to Department of Commerce figures, the rate of grave crimes such as murder, manslaughter and rape have remained more or less constant over the past 10 years. That same time period, however, has seen a rise in robbery, burglary, larceny and motor vehicle theft. An issue of some importance to Guam's economic base is the question of crimes against tourists. The percentage of crimes against tourists per tourist population has decreased over the past decade, from .04 per cent in 1989 to about .02 per cent from 1991 to 1998. In 1998, there were 264 incidents of crime against tourists. The police department attributes the overall drop in crime to the increase in officers on the streets, more neighbourhood patrols and activation of a new highway patrol section.

82. The prevalence of drugs in Guam is perhaps the single most significant factor affecting crime rates. The largest crime rate increase in recent years came in 1997. To combat the drug problem, the police department continues to run preventive and outreach programmes.

VIII. Environment

83. Guam continues to experience some threats to its environment related to the United States occupation during the Second World War. In April 2000, drums containing possibly hazardous materials (not necessarily from the war era) were found on Guam's sole source aquifer, less than half a mile from water-producing wells. The Guam Environmental Protection Agency was investigating this pollution.[46] In May 2000, hundreds of residents of the Mongmong area were evacuated from their homes during a cleanup of military canisters that contained small levels of chemical agents, including mustard gas. A subsequent study carried out by the Agency for Toxic Substances and Disease Registry, a division of the United States Department of Health and Human Services, concluded that there was no immediate health concern, but recommended that a thorough archival search be carried out among the relevant agencies to determine the final disposition of chemical weaponry brought into Guam during and after the Second World War.[47] In August 2000, researchers from the Micronesian Area Research Center discovered records that numerous mustard gas bombs had been brought into Guam in 1945 but had never been used. Researchers suspect that they may have been dumped in a swamp near the capital, Hagåtña. There is no proof that the bombs are there, but the swamp was used as a dumping ground after the war. The researchers say that if the gas is released it could kill half of the people within a radius of 2 miles.[48] In January 2001, empty metal drums that once contained oil fog and aviation fuel were discovered, requiring a clean-up, but without the need for evacuation.[49]

84. In December 2000, the United States Environmental Protection Agency began funding a Guam Environmental Protection Agency project to proactively look for possible environmental hazards, in particular at formerly used defence sites of the United States Army Corps of Engineers. The federal agency was to provide $100,000 in 2000, and another $100,000 in 2001. The programme will allow the Guam Environmental Protection Agency to take the lead in locating environmental problems, rather than relying on the Corps' formerly used defence sites programme, as in the past. A Guam Environmental Protection Agency official noted that the Corps of Engineers did not focus sufficiently on the potential impact of biologically or environmentally unsafe materials, and would not look at waste that they could prove was not military waste.[50]

85. Over the past several years, the pollution of beaches, coastal waters and coral reefs has raised concerns over the impact on health and tourism. Pollution is suffocating the coral reefs and inhibiting marine life. Sources of contamination include sewage from septic tanks and leaking sewer lines and chemical contaminants from fertilizers and sewage. Pollution of the freshwater lens also puts the drinking water supply at risk. According to press reports, Guam Environmental Protection Agency officials say that the pollution problems are not widespread, but the pace of development may cause a bigger problem in the future. Various recommendations have been made to the Government of Guam for dealing with the deteriorating environment. The National Oceanic and Atmospheric Administration, part of the United States Department of Commerce, has committed $200,000 to be administered through the University of Guam Marine Laboratory, for a region-wide effort to address marine and coastal issues in Oceania.[51]

86. An important environmental challenge is posed by Guam's status outside the United States customs zone. Currently, the United States prohibits the importation of materials contaminated with polychlorinated biphenyl (PCB) from outside the customs zone. This effectively prevents the Department of Defense from moving its contaminated materials back to the United States for proper disposal. In November 2000, the federal Environmental Protection Agency proposed a regulation that would explicitly allow for PCB-contaminated materials from the Territories to be brought to the United States for disposal. The proposal was opposed by a major environmental group, and its status at the time of writing is unknown.[52]

IX. Relations with international organizations/arrangements

A. United Nations system

87. Guam is an associate member of the Economic and Social Commission for Asia and the Pacific. WHO carries out training projects in Guam. In addition, Guam has been involved in the Multilateral High-level Conferences on the Conservation and Management of

Highly Migratory Fish Stocks in the Western and Central Pacific, which originated under the United Nations Convention on the Law of the Sea and related conventions.

B. Regional organizations/arrangements

88. Guam was a member of the Pacific Basin Development Council, based in Honolulu and dedicated to promoting economic development of American Samoa, Guam, Hawaii, and the Northern Mariana Islands. The Council's board members were the Governors of Guam, the Northern Mariana Islands and American Samoa. On 30 September 2000 the Council was dissolved in order for a charter and new by-laws to be drafted. The Council ran into financial problems when Hawaii withdrew in 1999.[53]

89. Guam is a member of the Secretariat of the Pacific Community, a 27-member organization dedicated to providing technical advice, assistance, training and research to promote the development of its members.

X. Future status of the Territory

A. Position of the territorial Government

90. In his statement to the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, at its 5th meeting, on 27 September 2000, Ronald Rivera, representative of the Governor of Guam, addressed the issue of the decolonization of Guam. He said that Guam was one of the Territories in which the decolonization process posed the greatest difficulties. Guam was a colony and all the actions of its Government were subject to the laws of the administering Power. It essentially belonged to the United States, as that country had the right to dispose of Guam's land, reshape its demography and appropriate its earnings by exploiting the citizens of the Territory. Guam's patrimony, traditions and culture were being degraded through forced assimilation. At the same time, the health and education systems had been poorly developed. Activists who had demonstrated non-violently for the return of land to the original inhabitants had been given prison sentences by the courts of the administering Power. The situation was therefore one of colonial subjugation and domination at the expense of the interests of the people of Guam, and thus constituted a violation of fundamental human rights and of the Charter of the United Nations.

91. In addition, Mr. Rivera said that the people of Guam had a strong resolve to move forward with the process of decolonization, but needed the engagement of the administering Power for the process to be successfully concluded. He suggested that the United Nations might consider seeking guidance from the International Court of Justice to clarify the rights and responsibilities of all the parties in accordance with the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States, and in particular, the duty of Member States to bring an end to colonialism, having due regard to the freely expressed will of the people concerned.

B. Position of the administering Power

92. On 25 September 2000, at the 3rd meeting of the Fourth Committee of the General Assembly, the representative of the United States, speaking in reference to all United States Territories, said that although his country continued to believe that the standards applied in General Assembly resolutions 1514 (XV) and 1541 (XV) were too narrow, it offered its full support to countries that chose independence. For Territories that did not choose independence, the United States fully supported the right of the peoples of the Non-Self-Governing Territories to a full measure of self-government if that was what they chose. His country did not believe that a single standard of decolonization applied to every Territory. He also said that for his country, the term "non-self-governing" was of questionable applicability to those who were able to establish their own constitution, elected their own public officers, had representation in Washington, D.C., and chose their own economic path (A/C.4/55/SR.3, paras. 52-54).

93. The representative also said that in his Government's opinion the mere presence of military interests in Non-Self-Governing Territories was not detrimental to the interests of such Territories or their peoples. On the contrary, such relationships formed the basis of partnership between individual regions and the outside world. Investment and economic activity did not necessarily constitute an obstacle to independence.

His country's hope for the coming year was that the Special Committee would focus its efforts on the Territories included in the list of Non-Self-Governing Territories and not be sidetracked by other issues.

94. More detailed information on the position of the administering Power with regard to Guam's commonwealth proposal may be found in the previous working paper (A/AC.109/2000/6, paras. 101 and 102). It should be noted that the position of the new Administration in Washington, D.C., was not available at the time of writing.

C. Action taken by the General Assembly

95. On 8 December 2000, the General Assembly adopted, without a vote, resolution 55/144 B, section VI of which deals with Guam.

Notes

[1] The information contained in the present working paper was derived from published sources, including Internet sites.

[2] *Encarta Online Deluxe* (www.encarta.com.au), "Guam".

[3] United States Census Bureau web site (www.census.gov).

[4] *Pacific Islands Report*, 9 January 2001.

[5] Bank of Hawaii, *Economic Report on Guam*, October 1999.

[6] Congressman Underwood's web site (www.house.gov/underwood/welcome.html).

[7] Department of the Interior, Office of Insular Affairs, *Fact Sheet*, 1998.

[8] *Pacific Daily News*, 9 February 2001.

[9] *Governing Guam Before and After the War*, Guam Political Status Education Coordination Committee, Agana, Guam, 1994, p. 137.

[10] Governor Gutierrez, "Statement on Commonwealth before Congress", 29 October 1997 (www.gov.gu/webtax/commonwealth/index.html).

[11] *Pacific Islands Report*, 25 October 2000.

[12] News release, Congressman Underwood, 9 September 2000.

[13] News release, Congressman Underwood, 26 June 2000.

[14] "State of Our Island Address", Carl T. C. Gutierrez, Governor of Guam, 3 February 2001.

[15] *Pacific Islands Report*, 3 February 2001.

[16] Ibid., 1 September 2000.

[17] *Pacific Daily News*, 9 January 2001.

[18] *Guam Annual Economic Review, 1998-1999*, Guam Department of Commerce, Tiyan; p. 41.

[19] Ibid., pp. 34 and 35.

[20] All Department of Commerce citations refer to statistics compiled on the Department's web site (www.admin.gov.gu/commerce).

[21] *Pacific Islands Report*, 5 January 2001.

[22] *Guam Annual Economic Review, 1998-1999*, Guam Department of Commerce, Tiyan; p. 56.

[23] Statistics cited in this section are from a paper, "Guam Economic Outlook 2001", by the Guam Department of Labor, issued in February 2001.

[24] *Pacific Daily News*, 6 July 2000.

[25] "Developing Guam", Guam Economic Development Authority, Third Quarter Report, 2000, vol. 1, issue 3.

[26] Statement of the Deputy Assistant Secretary for Policy and International Affairs, United States Department of the Interior, to the House Committee on Resources, 13 April 2000.

[27] www.airport.guam.net.

[28] United States Department of the Interior, Office of Insular Affairs (OIA) Fact Sheet, May 1998.

[29] *Pacific Islands Report*, 26 October 2000.

[30] Ibid., 28 August 2000.

[31] Ibid., 30 August 2000.

[32] Ibid., 9 June 2000.

[33] News release, Congressman Underwood, 18 May 2000.

[34] *Pacific Islands Report*, 5 June 2000.

[35] News release, Congressman Underwood, 26 July 2000.

[36] *Pacific Daily News*, 15 November 2000.

[37] "United States External Territories: Guam", *The Europa World Year Book 2000*, 41st edition, vol. II.

[38] News release, Congressman Underwood, 4 April 2000.

[39] News release, Congressman Underwood, 23 August 2000.

[40] www.wpro.who.int, country profiles, Guam.

[41] www.cdc.gov/hiv/stats/hasr1201/table1.htm and table2.htm.

[42] United States Department of the Interior, Office of Insular Affairs, *Report on the State of the Islands, 1999*, chap. 4.

[43] *Pacific Islands Report*, 4 November 2000.

[44] Agence France Presse report, 21 December 2000.

[45] Statement by Governor Gutierrez during the United States consultation with Pacific indigenous peoples, 21 August 1996.

[46] *Pacific Islands Report*, 27 April 2000.

[47] News release, Congressman Underwood, 10 October 2000.

[48] *Pacific Islands Report*, 14 August 2000.

[49] *Pacific Daily News*, 3 February 2001.

[50] *Pacific Islands Report*, 27 December 2000.

[51] Ibid., 21 March 2000.

[52] News release, Congressman Underwood, 8 December 2000.

[53] *Pacific Islands Report*, 25 April 2000.